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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ERICA KENADIE COBBIN-
RICHARDSON,

Plaintiff,

v.

WORKFORCE CONNECTIONS,
SOUTHERN NEVADA'S LOCAL
WORKFORCE DEVELOPMENT BOARD,

Defendant.

Case No. 2:20-cv-02278-JCM-NJK

ORDER

[Docket No. 20]

13 Pending before the Court is the parties' stipulation to extend discovery deadlines. Docket
14 No. 20. The parties request a 90-day extension of discovery deadlines. *Id.* at 2–3.

15 A request to extend deadlines in the Court's scheduling order must be supported by a
16 showing of good cause for the extension. LR 26-3; *see also Johnson v. Mammoth Recreations,*
17 *Inc.*, 975 F.2d at 608–09.¹ The “good cause” inquiry focuses mostly on the movant's diligence.
18 *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294–95 (9th Cir. 2000). Good cause to extend a
19 discovery deadline exists “if it cannot reasonably be met despite the diligence of the party seeking
20 the extension.” *Johnson*, 975 F.2d at 609. While prejudice to the opposing party may also be
21 considered, when the movant “fail[s] to show diligence, ‘the inquiry should end.’” *Coleman*, 232
22 F.3d at 1295 (quoting *Johnson*, 975 F.2d at 609). Further, to seek an extension of an expired
23 discovery deadline, a movant must make “a showing of good cause” and “demonstrate that the
24 failure to act [before the deadline expired] was the result of excusable neglect.” LR 26-3. The
25 Court has broad discretion in supervising pretrial litigation. *Zivkovic v. S. Cal. Edison Co.*, 302
26 F.3d 1080, 1087 (9th Cir. 2002).

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28 ¹ The “good cause” standard in Local Rule 26-3 is the same as the standard governing
modification of the scheduling order under Fed. R. Civ. P. 16(b).

1 The parties submit that good cause exists to grant the requested extension because they
2 “have spent significant time attempting to agree on the terms for a stipulated protective order[.]”
3 Docket No. 20 at 2. The parties further submit that they “did not want to engage in more time-
4 consuming and cost-intensive forms of discovery until after the Early Neutral Evaluation . . . has
5 been completed.” *Id.* at 2. The Court is not persuaded that the parties require three months to
6 finalize a stipulated protective order. Further, parties may not unilaterally stay discovery pending
7 settlement discussions. *See Zaic v. Giddens*, 2017 WL 2259766, at *1 (D. Nev. May 23, 2017)
8 (finding parties are “not entitled to unilaterally stay discovery without an order from the court”);
9 *see also Corbett v. Pub. Ret. Sys. ex rel. Nevada*, 2021 WL 297564, at *1 (D. Nev. Jan. 28, 2021)
10 (quoting *Turner Broad. Sys., Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997))
11 (“Discovery should proceed absent a ‘strong showing’ to the contrary”). In addition, the deadlines
12 for amending pleadings/adding parties and disclosing initial experts expired on April 12, 2021 and
13 May 12, 2021, respectively. *See* Docket No. 12. The parties, however, fail to address, let alone
14 demonstrate, whether excusable neglect exists to extend these deadlines. *See* LR 26-3.

15 Accordingly, the parties’ stipulation, Docket No. 20, is hereby **DENIED** without prejudice
16 IT IS SO ORDERED.

17 Dated: May 18, 2021

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20 Nancy J. Koppe
21 United States Magistrate Judge
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